

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICHELI & SHEL, LLC, *individually and on
behalf of others similarly situated,*

Plaintiff,

v.

GRUBHUB INC., *et al.*,

Defendants.

Case No. 21-cv-04995-JMH

NOTICE OF MOTION

PLEASE TAKE NOTICE that, upon their supporting memorandum of law; the declaration of Adam Wilson dated August 2, 2021, with accompanying exhibits; and all other papers and prior proceedings in this matter, Defendants Grubhub Inc., which has been named individually and as d/b/a Seamless, and Seamless North America, LLC (collectively “Grubhub”),¹ by and through their undersigned counsel, move this Court before the Honorable Jesse M. Furman, United States District Judge, at the Thurgood Marshall United States Courthouse located at 40 Foley Square, New York, New York 10007, for an Order pursuant to the Federal Arbitration Act, 9 U.S.C. § 1 *et seq.* (1) compelling arbitration of the claims asserted by Plaintiff Micheli & Shel, LLC against Grubhub in the Complaint; (2) staying this action pending the outcome of any arbitration; and (3) granting Grubhub such other and further relief as the Court deems just and proper.

¹ Effective December 31, 2014, Defendant Seamless North America, LLC merged into and with Grubhub Holdings Inc. Prior to June 15, 2021, Grubhub Holdings Inc. was a wholly owned subsidiary of Defendant Grubhub Inc. Effective June 15, 2021, Grubhub Inc. completed a merger with and into Checkers Merger Sub II, Inc., a wholly owned subsidiary of Just Eat Takeaway.com N.V.

Dated: August 2, 2021

COZEN O'CONNOR

/s/ Michael W. McTigue Jr.

Michael W. McTigue Jr. (*pro hac vice*)

Meredith C. Slawe (*pro hac vice*)

Max E. Kaplan

One Liberty Place

1650 Market Street, Suite 2800

Philadelphia, PA 19103

Telephone: (215) 665-2000

Fax: (215) 665-2013

Email: mmctigue@cozen.com

Email: mslawe@cozen.com

Email: mkaplan@cozen.com

*Counsel for Defendants Grubhub Inc. and
Seamless North America, LLC*